

4 June 2018

BY ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: GN Docket No. 15-206

Dear Ms. Dortch:

The North American Submarine Cable Association (“NASCA”) submits the attached proposal in support of its petition for reconsideration of the submarine cable outage reporting requirements the Commission adopted last year.¹ Recognizing that NASCA believes that the outage reporting rules as adopted still lack sufficiently-defined objectives or grounding in a rigorous cost-benefit analysis, NASCA’s members have reached a consensus on a proposal for workable outage reporting rules that would provide timely data to the Commission while lessening the burdens on submarine cable operators. The attached proposal seeks to reach a balance by:

- Revising the definition of an outage to avoid flooding the Commission with mundane events or routine maintenance;
- Creating a more reasonable time for the initial report;
- Removing the unnecessary interim report; and
- Increasing the implementation period for the rules.

NASCA emphasizes the importance of developing rules that do not divert submarine cable operators’ resources from conducting repairs and restoring traffic. This proposal seeks to mitigate those risks while still providing the Commission with the situational awareness that it seeks for submarine cable faults.

¹ See Petition for Reconsideration of the North American Submarine Cable Association, GN Docket No. 15-206 (filed Sept. 7, 2016); Supplement to Petition for Reconsideration, GN Docket No. 15-206 (filed Sept. 1, 2017).

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Should you have any questions, please contact me by telephone at +1 202 730 1337 or by e-mail at kbressie@hwglaw.com.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kent Bressie".

Kent Bressie
Susannah Larson

*Counsel for the
North American Submarine Cable Association*

cc: Merritt Baer (PSHSB)
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NASCA OUTAGE REPORTING PROPOSAL

Outage Definition

- FCC Order: Outage (“significant degradation in performance”) in cable between the SLTEs at each end for at least 30 minutes, or
Loss of any fiber pair for 4 hours or more (including due to terminal equipment).
- Proposal: Fault between SLTEs resulting in the loss of all connectivity on a fiber pair (excluding routine maintenance) for 4 hours or more, regardless of whether traffic can be re-routed to an alternative path.
- Explanation: Proposal would require reporting of unforeseen outages involving major cable failures and long-duration repairs, while avoiding reporting of planned outages or where cable operations resume within 4 hours.

Reporting Time

Initial Report:

- FCC Order: Within 8 hours of determining event is reportable for first 3 years, then within 4 hours.
- Proposal: 4 days after determining event is reportable.
- Explanation: Many cable landing stations (including many foreign stations for U.S.-landed cables controlled by non-U.S. parties) do not operate 24/7 and should prioritize repair duties over reporting. Many systems do not have automated processes for reporting, and have limited staff overseeing the cable system, so such a short turnaround for reporting is not feasible.

The proposed period is consistent with the required four-day period for reporting of simplex outage events (OC-3 circuits with built-in path protection where one of these paths is not available).

Interim Report:

- FCC Order: Within 24 hours of receipt of Plan of Work.
- Proposal: No interim report.
- Explanation: The interim report imposes an additional, unnecessary burden on licensees which will take the focus away from repairing the outage; these details can be included in the final report.

Transition Period

- FCC Order: 6 months after OMB approval.

Proposal: 18 months after OMB approval.

Explanation: Development/implementation of required systems and procedures by licensees and their consortium partners to make these reports will take at least 18 months.